

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

- (1) Harry TAM,;
- (2) Tony NGUYEN;
- (4) Henry VUONG;
- (5) Robert OSTRANDER;
- (6) James COLAMARIA;
- (7) Vincent DUONG;
- (9) Eli SANDERS; and
- (10) Jacob PARLIN,

Defendants

Criminal No. 21-cr-10350-LTS

**JOINT MOTION TO CONTINUE**  
**INTERIM STATUS CONFERENCE**

Pursuant to Local Rule 116.5(a), the United States, by its undersigned counsel, respectfully submits the following status report and request for a continuance of the interim status conference scheduled for March 29, 2022.

Undersigned counsel has inquired of defense counsel regarding the upcoming status conference and those matters which are normally addressed at the conference. At this point, a majority of the attorneys has responded to the inquiry. The request for a continuance of, at a minimum, an additional 30 days is based upon the government's position regarding continuing discovery production as well as the position of the attorneys who responded regarding additional requests and motions.

Please be advised that there are some defendants whose appearance in this court was delayed due to the location and timing of the individual's arrest and initial appearance.

Therefore, the initial discovery production to those individuals was relatively recent and those defendants are requesting an additional 60 days.

**1. Automatic discovery and discovery requests.**

The government made its initial automatic discovery production on January 14, 2022; with additional productions to defendants on January 19, 2022, February 6, 2022, and on March 11, 2022. As noted, the government has also made its initial automatic discovery production to those defendants who appeared and were arraigned at later dates.

The initial production of discovery is contained in approximately 7.52 GB of data, including law enforcement reports, drug laboratory reports, search and tracking warrant materials, photographs, and wiretap materials (including pleadings and transcripts).

**2. Timing of additional discovery.**

The government requests another 30 days to produce additional discovery which it has not yet received from investigative agencies including pole camera footage.

**3. Timing of additional discovery requests.**

At this time, the government has received an additional discovery request from Defendant Sanders and the government expects to file its response shortly.

Defense counsel who have responded indicate that they require additional time to review the discovery materials that were provided before making any discovery requests.

**4. Protective orders.**

The government has sought and received a protective order for T-III Recordings, line sheets, and related pleadings.

**5. Pretrial motions.**

The defendants have not filed any pretrial motions under Fed. R. Crim. P. 12(b). It is too soon for the defendants to determine whether any pretrial motions will be filed.

**6. Timing of expert disclosures.**

The United States believes that it is premature at this time to require the production of expert discovery pursuant to Fed. R. Crim. P. 16(a)(1)(G) and that such production should be required if it is determined that a trial or any other hearing will be necessary where the United States will present expert witnesses. The United States understands that the defendants reserve the right to request discovery concerning expert witnesses under Fed. R. Crim. P. 16(a). To the extent that expert discovery is requested by the defendants, the United States requests reciprocal discovery.

**7. Periods of excludable delay.**

The Court entered an order of excludable delay between the date of the indictment on December 22, 2021, the initial status conference on February 1, 2022, and the current interim status conference date. There are no non-excludable days under the Speedy Trial Act. The government moves for an order of excludable delay between the date of this filing, if the court continues the matter, and the next scheduled status conference.

**8. Timing of a further status conference.**

The parties request the Court to schedule an interim status conference at a date and time convenient to the court and the parties.

Respectfully submitted,  
RACHAEL S. ROLLINS  
United States Attorney

By: /s/ Nadine Pellegrini  
Nadine Pellegrini  
Assistant U.S. Attorney  
(617) 748-3261

Certificate of Service

I hereby certify that I served the foregoing document by ECF on March 24, 2022 to counsel of record.

/s/ Nadine Pellegrini  
Nadine Pellegrini  
Assistant U.S. Attorney